

IN THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

DISTRICT OF COLUMBIA,

Plaintiff,

v.

FACEBOOK, INC.,

Defendant.

CIVIL ACTION NO.: 2018 CA 008715 B

Judge Fern Flanagan Saddler

Next Court Date: March 22, 2019

Event: Initial Conference

DEFENDANT FACEBOOK, INC.'S OPPOSED MOTION TO DISMISS
OR, IN THE ALTERNATIVE, STAY PROCEEDINGS

Defendant Facebook, Inc., moves pursuant to Superior Court Rule of Civil Procedure 12 to dismiss Plaintiff's Complaint for lack of personal jurisdiction and for failure to state a claim. Alternatively, Facebook moves to stay proceedings pending resolution of *In re: Facebook, Inc. Consumer Privacy User Profile Litig.*, No. 18-MD-2843-VC (N.D. Cal.), as well as the FTC's ongoing investigation of Facebook's privacy policies and practices.

Pursuant to Rule 12-I(h), Facebook respectfully requests an oral hearing.

Dated: February 1, 2019

Respectfully submitted,

/s/ Joshua S. Lipshutz

Joshua S. Lipshutz [1033391]

Chantale Fiebig [487671]

Gibson, Dunn & Crutcher LLP

1050 Connecticut Avenue, NW

Washington, D.C. 20036

Tel: (202) 955-8217

jlipshutz@gibsondunn.com

cfiebig@gibsondunn.com

Attorneys for Defendant

Pursuant to Superior Court Rule of Civil Procedure 12-I, I hereby certify that Facebook ascertained whether Plaintiff would consent to the relief sought before filing this motion. Counsel for Facebook and the District discussed the motion and possible resolution on January 28, 2019. Despite diligent efforts, consent could not be obtained.